

the grant period in which it is generated.

(b) *Considerations for waiver.* In determining whether to grant a waiver under this section, the SAA should consider whether charging victims for services is consistent with the project's victim assistance objectives and whether the sub-recipient is capable of effectively tracking program income in accordance with financial accounting requirements.

§ 94.118 Project match requirements.

(a) *Project match amount.* Sub-recipients shall contribute (*i.e.*, match) not less than twenty percent (cash or in-kind) of the total cost of each project, except as provided in paragraph (b) of this section.

(b) *Exceptions to project match requirement.* The following are not subject to the requirement set forth in paragraph (a) of this section:

(1) Sub-recipients that are federally-recognized American Indian or Alaska Native tribes, or projects that operate on tribal lands;

(2) Sub-recipients that are territories or possessions of the United States (except for the Commonwealth of Puerto Rico), or projects that operate therein; and

(3) Sub-recipients other than those described in paragraphs (b)(1) and (2) of this section, that have applied (through their SAAs) for, and been granted, a full or partial waiver from the Director. Waiver requests must be supported by the SAA and justified in writing. Waivers are entirely at the Director's discretion, but the Director typically considers factors such as local resources, annual budget changes, past ability to provide match, and whether the funding is for new or additional activities requiring additional match versus continuing activities where match is already provided.

(c) *Sources of project match.* Contributions under paragraph (a) of this section shall be derived from non-federal sources, except as may be provided in the DOJ Grants Financial Guide, and may include, but are not limited to, the following:

(1) *Cash; i.e.*, the value of direct funding for the project;

(2) *Volunteered professional or personal services*, the value placed on which shall be consistent with the rate of compensation (which may include fringe benefits) paid for similar work in the program, but if the similar work is not performed in the program, the rate of compensation shall be consistent with the rate found in the labor market in which the program competes;

(3) *Materials/Equipment*, but the value placed on lent or donated equipment shall not exceed its fair market value;

(4) *Space and facilities*, the value placed on which shall not exceed the fair rental value of comparable space and facilities as established by an independent appraisal of comparable space and facilities in a privately-owned building in the same locality; and

(5) *Non-VOCA funded victim assistance activities*, including but not limited to, performing direct service, coordinating, or supervising those services, training victim assistance providers, or advocating for victims.

(d) *Discounts.* Any reduction or discount provided to the sub-recipient shall be valued as the difference between what the sub-recipient paid and what the provider's nominal or fair market value is for the good or service.

(e) *Use of project match.* Contributions under paragraph (a) of this section are restricted to the same uses, and timing deadlines for obligation and expenditure, as the project's VOCA funding.

(f) *Recordkeeping for project match.* Each sub-recipient shall maintain records that clearly show the source and amount of the contributions under paragraph (a) of this section, and period of time for which such contributions were allocated. The basis for determining the value of personal services, materials, equipment, and space and facilities shall be documented. Volunteer services shall be substantiated by the same methods used by the sub-recipient for its paid employees (generally, this should include timesheets substantiating time worked on the project).

SUB-RECIPIENT ALLOWABLE/
UNALLOWABLE COSTS

§ 94.119 Allowable direct service costs.

Direct services for which VOCA funds may be used include, but are not limited to, the following:

(a) *Immediate emotional, psychological, and physical health and safety*—Services that respond to immediate needs (other than medical care, except as allowed under paragraph (a)(9) of this section) of crime victims, including, but not limited to:

- (1) Crisis intervention services;
- (2) Accompanying victims to hospitals for medical examinations;
- (3) Hotline counseling;
- (4) Safety planning;
- (5) Emergency food, shelter, clothing, and transportation;
- (6) Short-term (up to 45 days) in-home care and supervision services for children and adults who remain in their own homes when the offender/caregiver is removed;
- (7) Short-term (up to 45 days) nursing-home, adult foster care, or group-home placement for adults for whom no other safe, short-term residence is available;

(8) Window, door, or lock replacement or repair, and other repairs necessary to ensure a victim's safety;

(9) Costs of the following, on an emergency basis (*i.e.*, when the State's compensation program, the victim's (or in the case of a minor child, the victim's parent's or guardian's) health insurance plan, Medicaid, or other health care funding source, is not reasonably expected to be available quickly enough to meet the emergency needs of a victim (typically within 48 hours of the crime): Non-prescription and prescription medicine, prophylactic or other treatment to prevent HIV/AIDS infection or other infectious disease, durable medical equipment (such as wheel-chairs, crutches, hearing aids, eyeglasses), and other healthcare items are allowed; and

(10) Emergency legal assistance, such as for filing for restraining or protective orders, and obtaining emergency custody orders and visitation rights;

(b) *Personal advocacy and emotional support*—Personal advocacy and emo-

tional support, including, but not limited to:

- (1) Working with a victim to assess the impact of the crime;
- (2) Identification of victim's needs;
- (3) Case management;
- (4) Management of practical problems created by the victimization;
- (5) Identification of resources available to the victim;
- (6) Provision of information, referrals, advocacy, and follow-up contact for continued services, as needed; and
- (7) Traditional, cultural, and/or alternative therapy/healing (*e.g.*, art therapy, yoga);

(c) *Mental health counseling and care*—Mental health counseling and care, including, but not limited to, out-patient therapy/counseling (including, but not limited to, substance-abuse treatment so long as the treatment is directly related to the victimization) provided by a person who meets professional standards to provide these services in the jurisdiction in which the care is administered;

(d) *Peer-support*—Peer-support, including, but not limited to, activities that provide opportunities for victims to meet other victims, share experiences, and provide self-help, information, and emotional support;

(e) *Facilitation of participation in criminal justice and other public proceedings arising from the crime*—The provision of services and payment of costs that help victims participate in the criminal justice system and in other public proceedings arising from the crime (*e.g.*, juvenile justice hearings, civil commitment proceedings), including, but not limited to:—

- (1) Advocacy on behalf of a victim;
- (2) Accompanying a victim to offices and court;
- (3) Transportation, meals, and lodging to allow a victim who is not a witness to participate in a proceeding;
- (4) Interpreting for a non-witness victim who is deaf or hard of hearing, or with limited English proficiency;
- (5) Providing child care and respite care to enable a victim who is a caregiver to attend activities related to the proceeding;
- (6) Notification to victims regarding key proceeding dates (*e.g.*, trial dates,